

**Hearing Date: December 10, 2009, 2:00 p.m. (prevailing Eastern Time)**  
**Agreed Objection Deadline: December 7, 2009**

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*Attorneys for Barclays Capital Inc.*

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re

Chapter 11 Case No.

LEHMAN BROTHERS HOLDINGS INC., *et al.*,

08-13555 (JMP)

Debtors.

(Jointly Administered)

In re

SIPA Proceeding Case No.

LEHMAN BROTHERS INC.,

08-01420 (JMP)

Debtor.

**NOTICE OF HEARING ON MOTION OF BARCLAYS CAPITAL  
INC. TO COMPEL PRODUCTION OF DOCUMENTS FROM THE  
TRUSTEE AND THE COMMITTEE BASED ON PRIVILEGE WAIVER**

**PLEASE TAKE NOTICE** that upon the motion of Barclays Capital Inc., by and through its undersigned counsel, the undersigned will move this Court before the Honorable

James M. Peck, United States Bankruptcy Judge, at the United States Bankruptcy Court for the Southern District of New York, 1 Bowling Green, New York, New York on December 10, 2009, at 2:00 p.m. for entry of an order pursuant to Federal Rule of Civil Procedure 37, made applicable by Federal Rule of Bankruptcy Procedure 7037, compelling the Trustee in the Securities Investor Protection Act proceedings (the “Trustee”) and the Official Committee of Unsecured Creditors of LBHI (the “Committee”) to produce documents in response to Barclays’ document requests. Barclays, the Trustee, and the Committee have agreed that objections by the Trustee and the Committee will be filed December 7, 2009.

**PLEASE TAKE FURTHER NOTICE** that objections to the relief requested, if any, shall be served upon: (i) Boies, Schiller & Flexner LLP, 575 Lexington Avenue, 7th Floor, New York, NY 10022, Attn: Hamish P.M. Hume, Esq., attorneys for Movant, Barclays Capital Inc.; (ii) Office of the United States Trustee for the Southern District of New York, 33 Whitehall Street, 21st Floor, New York, NY 10004, Attn: Andy Velez-Rivera; (iii) Jones Day, 22 East 41st Street, New York, NY 10017, Attn: Robert Gaffey, Esq., and Weil Gotshal & Manges LLP, 767 Fifth Avenue, New York, NY 10153, Attn: Richard Krasnow, Esq., attorneys for Debtor; (iv) Quinn Emanuel Urquhart Oliver & Hedges LLP, 51 Madison Avenue, 22nd Floor, New York, NY 10010, Attn: James Tecce, Esq., and Milbank Tweed Hadley & McCloy LLP, 1 Chase Manhattan Plaza, New York, NY 10005, Attn: Dennis Dunne, Esq., attorneys for the Official Committee of Unsecured Creditors; (v) Hughes Hubbard & Reed LLP, One Battery Park Plaza, New York, NY 10004, Attn: James W. Giddens, Esq., attorneys for the SIPA Trustee, and (iv) Securities Investor Protection Corporation, 805 Fifteenth Street, N.W., Suite 800, Washington, DC 20005, Attn: Kenneth J. Caputo (“SIPC”).

**PLEASE TAKE FURTHER NOTICE** that the relief requested may be granted without a hearing if no objection is timely filed and served with the Court by the deadline set forth above.

**PLEASE TAKE FURTHER NOTICE** that the hearing may be continued or adjourned from time to time without notice to any creditor or other party in interest other than by announcement in open court.

Dated: December 7, 2009

BOIES, SCHILLER & FLEXNER LLP

By: 

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